

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1, 3-13 are rejected under 35 U.S.C. 102(e) as being anticipated by
Lowe et al. (US Pat 7,123,696):**

As to claim 1, Lowe teaches a method of transmitting information (i.e., distribute the personalized media file to one or more users associated with that user information, see; Abstract; or generate and distribute media clips to one or more other recipients such as users 215; col. 11, lines 8-9) generated from a packet-based communications device (i.e., computing device, fig. 2, label 210. Computing devices include cellular telephones, Personal Digital Assistants (PDA), desktop computers, laptop computers and any electronic apparatus capable of communicating through a wire-based and/or wireless network, col. 11, lines 30-33) comprising:

receiving information (i.e., user information, fig. 1, label 110; or context information, fig. 1, label 130) transmitted from a packet-based communications device (i.e., distribute the personalized media file to one or more users associated with that user information, see Abstract);

converting the information (i.e., user information, fig. 1, label 110; or context information, fig. 1, label 130) into a digital audio file (i.e., media clip, See Abstract);

selecting multiple destinations (i.e., one or more other recipients such as users 215 of fig. 2) connected to the packet-based communications device by different mediums (i.e., playback devices... include World Wide Web, email, satellites, digital cable and/or satellite radio, col. 2, lines 50-61); and

transmitting the digital audio file (i.e., generate and distribute the media clips, see Abstract) to the selected destinations (i.e., destination clients of fig. 2, label 230).

As to claim 3, Lowe teaches the method including storing the voice data (i.e., i.e., adding the appropriate voice data to the clip; col. 14, line 15; or WAV, PM3, AVI, OGG, etc; col. 14, line 5) in memory (i.e., database system; col. 14, lines 30-37) on a network server (i.e., media server; fig. 2, label 240 via Interface module 244) connected to the packet-based communications device (i.e., computing device, fig. 2, label 210).

As to claim 4, Lowe teaches converting the information (i.e., converting the media clip into a file of appropriate format; col. 16, lines 58-59) includes converting the stored voice data (i.e., adding the appropriate voice data to the clip, col. 14, line 15).

As to claim 5, Lowe teaches converting the digital audio file to a text file (i.e., html, col. 11, line 38 or some form of metadata.... The system also provides a mechanism for associating insert clips with keywords, key phrases, sound preview, image preview and any other data format that allow the system to identify, classify, sort

or other manipulate the insert clip for purposes of data management, this information is commonly known as metadata; col. 13, lines 49-54).

As to claim 6, Lowe teaches selecting each destination (i.e., At step 1050, the system proceeds to select one or more master clips and one or more insert clips after determining the proper combination for each recipient, col. 17, lines 25-28) is based upon information (i.e., user information, fig. 1, label 110; or context information, fig. 1, label 130) received from the packet-based communications device (i.e., computing device, fig. 2, label 210).

As to claim 7, Lowe teaches a method of transmitting information generated from a packet-based communications device (i.e., computing device, fig. 2, label 210), comprising:

selecting a number of destinations (i.e., one or more other recipients such as users 215 of fig. 2) from a destination list (i.e., the list of user information, col. 23, lines 38-46) on a packet-based communications device (i.e., computing device, fig. 2, label 210);

receiving, from a packet-based communications enabled device (i.e., computing devices include cellular telephones, Personal Digital Assistants (PDA), desktop computers, laptop computers and any electronic apparatus capable of communicating though a wire-based and/or wireless network, col. 11, lines 30-33), destination information (i.e., user name information from a database, col. 16, lines 64-66 as seen in step 1040 of fig. 10) for the number of destinations (i.e., one or more other recipients such as users 215 of fig. 2), the destination information including multiple media

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formats and real-time voice data (i.e., real life recording, col. 13, line 16 or Step 310 of fig. 3 may involve recording a live performance (e.g., a commercial or an artistic performance by a band), or capturing computer synthesized sounds, col. 13, line 25);

selecting a media format (i.e., Step 530 of fig. 5 determines an appropriate format, col. 15, lines 58-66) and a medium of transmission (i.e., any other medium capable of transferring information about the recipients to the system, fig. 5, label 610; or multimedia player, col. 15, lines 24 and 32; a telephone voice mail system, col. 15, line 55; or computing systems, col. line 20; or a telephone set, col. 11, line 51) for each destination based upon the received destination information (i.e., user name information from a database, col. 16, lines 64-66 as seen in step 1040 of fig. 10);

converting the received voice data (i.e., adding the appropriate voice data to the clip, col. 14, line 15) into the selected media format (i.e., WAV, PM3, AVI, OGG, etc; col. 14, line 5; or flash animation) ; and

transmitting the digital file (i.e., digital data, col. 15, line 42) to the selected destinations (i.e., destination clients of fig. 2, label 230) via the selected medium of transmission (i.e., any other medium capable of transferring information about the recipients to the system, fig. 5, label 610; or multimedia player, col. 15, lines 24 and 32; a telephone voice mail system, col. 15, line 55; or computing systems, col. line 20; or a telephone set, col. 11, line 51) for each destination.

As to claim 8, Lowe teaches selecting a media format includes selecting a media format from the group including:

a digital audio file (i.e., media clip, See Abstract);

an html file (col. 11, line 38) and

a word processing file. (This portion is inherent since Lowe teaches the computing system of fig 2; label 210 may be a desktop computer. It is well-known in the art that a computer should always include the word processing file).

As to claim 9, Lowe teaches selecting mediums of transmission (i.e., any other medium capable of transferring information about the recipients to the system, fig. 5, label 610; or multimedia player, col. 15, lines 24 and 32; a telephone voice mail system, col. 15, line 55; or computing systems, col. line 20; or a telephone set, col. 11, line 51) includes selecting mediums from the group including:

a land line telephone connection; a wireless voice connection (a client may be equipped with a modem to communicate through (wire based or wave based wireless) telephone services (col. 11, line 23).

a wireless data connection; (i.e., any other data transport mechanism that enables a client system to communicate with a server system..... not limited to wireless network, col. 9 , lines 39-43 or the use of Cellular telephones, Personal Digital Assistants (PDA). Col. 11, lines 30-31).

an Internet connection (col. 11, line 29).

As to claim 10, Lowe teaches selecting multiple destinations (i.e., destination clients of fig. 2, label 230) includes selecting destinations from the group including:

a land line telephone (i.e., wire based telephone services, col. 11, line 23)

a wireless telephone (col. 11, line 30);

an e-mail program application (col. 4, line 10);

a calendaring program application (col. 3, lines 61); a pager

a multi-media program application (col. 12, line 12 and label 240 of fig. 2);

a filing program application (col. 12, line 66);

a voice mail system (col. 17, line 48);

a message management program application (i.e., Head Domain The Head node supplies content management and application definition and management services through a Web based interface, Col. 19, lines 38-40)

As to claim 11, Lowe teaches selecting each destination (i.e., each single 215 of fig. 2) is based upon the selection of a contact (i.e., each single 215 of fig. 2) from a contact list (i.e., the list of user information, col. 23, lines 38-46) on a packet-based communications enabled device (i.e., computing devices include cellular telephones, Personal Digital Assistants (PDA), desktop computers, laptop computers and any electronic apparatus capable of communicating though a wire-based and/or wireless network, col. 11, lines 30-33), wherein the contact (i.e., each single 215 of fig. 2) is linked to multiple destinations (i.e., destination clients of fig. 2, label 230).

As to claim 12, Lowe teaches selecting a group of contacts from a contact list (i.e., the list of user information, col. 23, lines 38-46) on a packet-based communications enabled device (i.e., computing devices include cellular telephones, Personal Digital Assistants (PDA), desktop computers, laptop computers and any electronic apparatus capable of communicating though a wire-based and/or wireless

network, col. 11, lines 30-33), wherein each contact (i.e., each single 215 of fig. 2) is linked to multiple destinations (i.e., destination clients of fig. 2, label 230).

As to claim 13, Lowe teaches a computer readable medium having program instructions to cause a device to perform a method (i.e., a software program and/or computer hardware configured to enable users to select one or more master clips; Abstract; col. 2, lines 5-6; col. 5, lines 7-8; col. 11, line 40) comprising:

receiving information transmitted from a packet-based communications device (i.e., distribute the personalized media file to one or more users associated with that user information, see; Abstract; or generate and distribute media clips to one or more other recipients such as users 215; col. 11, lines 8-9);

converting the information (i.e., user information, fig. 1, label 110; or context information, fig. 1, label 130) into a digital audio file (i.e., media clip, See Abstract);

selecting multiple destinations (i.e., destination clients of fig. 2, label 230) connected to the packet-based communications device (i.e., computing device, fig. 2, label 210) by different mediums; and

transmitting the digital audio file (i.e., generate and distribute the media clips, see Abstract) to the selected destinations (i.e., destination clients of fig. 2, label 230).

As to claim 14, Lowe teaches selecting each of the multiple destinations (i.e., destination clients of fig. 2, label 230) based upon the selection of a destination from a list of destinations (i.e., the list of user information, col. 23, lines 38-46) on a packet-based communications enabled device (i.e., computing devices include cellular telephones, Personal Digital Assistants (PDA), desktop computers, laptop computers

and any electronic apparatus capable of communicating through a wire-based and/or wireless network, col. 11, lines 30-33).

Claim Rejections - 35 USC § 103

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 18-22 and 27 are rejected under 35 U.S.C.103(a) as being unpatentable over Lowe (US Pat 7, 123, 696) in view of Ross et al (US 6, 360,093).

As to claim 2, Lowe teaches receiving information includes real-time voice data (i.e., real life recording, col. 13, line 16 or Step 310 of fig. 3 may involve recording a live performance (e.g., a commercial or an artistic performance by a band), or capturing computer synthesized sounds, col. 13, line 25). He does not teach the real-time voice data generated during a push to talk session.

Ross teaches the real time voice data generated during a push to talk session (col. 4, lines 19-44) for dynamically designating any wireless telephone (or landline emulation) as the broadcaster (Abstract).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to incorporate the teachings of Ross into Lowe for the purpose of providing a user-friendly environment and greater accumulative features for marketability.

As to claim 18, Lowe teaches the method includes receiving information (i.e., user information, fig. 1, label 110; or context information, fig. 1, label 130).

Lowe does not teach receiving information transmitted from a half duplex communication session.

Ross teaches the half-duplex (i.e., Figs. 1 and 6 described the PTT function and capability acting in the half-duplex manner, col. 2, lines 37-51; col. 4, lines 19-44) for the purpose of providing a user-friendly environment and greater accumulative features for marketability.

As it is well known in the art that Push-to-talk (PTT) operation of terminals (in particular mobile terminals) has been found useful in the telecommunications field. PPT service is a half-duplex mode of communication. Commonly, many communications are simultaneously bi-directional, also referred to as full-duplex, e.g., in a full-duplex two party voice call session, both parties can speak and hear each other at the same time. In contrast, half-duplex means that communications occur in only one direction at a

time, e.g., only one party in a call session can be transmitting at a given time. Walkie-talkies, e.g., usually operate using a half-duplex mode of communication.

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to incorporate the teachings of Ross into Lowe for the purpose of providing a user-friendly environment and greater accumulative features for marketability.

As to claim 19, Lowe teaches a packet-based communications enabled device (i.e., computing devices include cellular telephones, Personal Digital Assistants (PDA), desktop computers, laptop computers and any electronic apparatus capable of communicating though a wire-based and/or wireless network, col. 11, lines 30-33), comprising:

- a processor (col. 11, line 19);

- memory connected to the processor (col. 11, line 19) including destination information (i.e., user name information from a database, col. 16, lines 64-66 as seen in step 1040 of fig. 10) for a number of destinations (i.e., one or more other recipients such as users 215 of fig. 2) stored thereon (i.e., destination clients of fig. 2, label 230);

- means (i.e., scheduler 225, col. 12, line 16) for selecting a file format (i.e., WAV, MP3, AVI, OGG, etc; col. 14, line 5 and col. 16, line 55) for each destination selected from the number of destinations (i.e., destination clients of fig. 2, label 230).

Furthermore, Lowe teaches a transceiver (i.e., media server, fig. 2, label 240 as it is designed to handle access to and the processing of media clips and typically comprises one or more user interface modules 244 capable of handling communication

to users (and/or optionally receivers) for purposes of obtaining user input, col. 11, lines 59-63). Lowe also teaches network device (i.e., computing device, for example, desktop computer, PDA, multimedia player...) over a network (Fig. 2).

Lowe does not teach a transceiver for transmitting and receiving a push to talk session with a network device over a network;

Ross teaches the use of the transceiver in a conventional push-to-talk communication system (col. 2, lines 23-30). Furthermore Ross teaches a method for operating in an improved wireless communication system as seen in fig. 4 including depressing (402) the PTT button and sending (404) an outgoing streaming voice data message from the microphone through the voice CODEC manager software (and an indication that the PTT button has been depressed) in response to a depression of the PTT button (col. 3, lines 58-67) for the purpose of providing Networked computers (314) which may be configured to emulate a combined base station and wireless telephone. The server can dynamically designate any wireless telephone (or landline emulation) as the broadcaster, and can dynamically configure any set of telephones/emulations as the receivers of the broadcast (see Abstract).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to incorporate the teachings of Ross into Lowe for the purpose of providing a user-friendly environment and greater accumulative features for marketability.

As to claim 20, Lowe in view of Ross teaches selecting the file format (i.e., Step 530 of fig. 5 determines an appropriate format, col. 15, lines 58-66 or WAV, MP3, AVI,

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OGG, etc; col. 14, line 5 and col. 16, line 55) includes program instructions (i.e., a software program and/or computer hardware; Abstract; col. 2, lines 5-6; col. 5, lines 7-8; col. 11, line 40) which execute (i.e., execute program tasks, col. 11, line 14) to select a file format (i.e., Step 530 of fig. 5 determines an appropriate format, col. 15, lines 58-66 or WAV, MP3, AVI, OGG, etc; col. 14, line 5 and col. 16, line 55) from a list of file formats (i.e., media clip, col. 16, lines 57-59).

As to claim 21, Lowe in view of Ross teaches each destination stored in memory has a list of available medium types (i.e., Internet data stream over IP, col. 16, lines 6-10) and wherein the means (i.e., scheduler 225, col. 12, line 16) for selecting the file format (i.e., Step 530 of fig. 5 determines an appropriate format, col. 15, lines 58-66 or WAV, MP3, AVI, OGG, etc; col. 14, line 5 and col. 16, line 55) includes program instructions (i.e., a software program and/or computer hardware; Abstract; col. 2, lines 5-6; col. 5, lines 7-8; col. 11, line 40) which execute to select a file format - based upon the selection of a medium type (i.e., Internet data stream over IP, col. 16, lines 6-10).

As to claim 22, Lowe in view of Ross teaches each destination stored in memory includes a file format designation (i.e., WAV, MP3, AVI, OGG, etc; col. 14, line 5 and col. 16, line 55) and wherein the means (i.e., scheduler 225, col. 12, line 16) for selecting the file format includes program instructions (i.e., software component, col. 12, line 26) which execute to select a file format based upon the selection of a destination.

As to claim 27, Lowe teaches the device (i.e., computing devices include cellular telephones, Personal Digital Assistants (PDA), desktop computers, laptop computers and any electronic apparatus capable of communicating through a wire-based and/or wireless network, col. 11, lines 30-33) further includes program instructions (i.e., a software program and/or computer hardware configured to enable users to select one or more master clips; Abstract; col. 2, lines 5-6; col. 5). Lowe also teaches converting the information (i.e., converting the media clip into a file of appropriate format; col. 16, lines 58-59) includes converting the stored voice data (i.e., adding the appropriate voice data to the clip, col. 14, line 15). Furthermore, Lowe teaches a WAV type digital audio file (col. 16, line 56).

Lowe does not teach converting from the push to talk session into a WAV type digital audio file.

Ross teach to convert the received information from the push to talk session (fig. 1, col. 2, lines 37-52 and fig. 5; col. 3, lines 58-67) into a WAV type digital audio file (i.e., convert the data back to digitized voice; see Abstract) for the purpose of transmitting the digitized voice to the wireless telephones.

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to incorporate the teachings of Ross into Lowe for the purpose of providing a user-friendly environment and greater accumulative features for marketability.

Claims 15 - 16 are rejected under 35 U.S.C.103(a) as being unpatentable over Lowe (US Pat 7, 123, 696) in view of Kroon et al (US 6,826,153).

As to claims 15-16, Lowe teaches the selecting each destination (i.e., at step 1050, the system proceeds to select one or more master clips and one or more insert clips after determining the proper combination for each recipient, col. 17, lines 25-28).

Lowe does not teach selecting based on the whether the destination is in active state and based on the defined level of urgency.

Kroon teaches selecting based on the whether the destination is in active state (i.e., selecting an available destination radio for transmission; col. 5, lines) and based on the defined level of urgency (i.e., order of urgency; col. 7, lines 30-45; also see fig. 4) for the purpose of increasing message throughput in a communications system utilizing priority management, conglomeration and compression, TCP retransmission filtering and pull transmission (Abstract).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to incorporate the teachings of Kroon into Lowe for the purpose of maintaining the bandwidth use as well as setting priority in selecting the destination.

Claim 17 is rejected under 35 U.S.C.103(a) as being unpatentable over Lowe (US Pat 7, 123, 696) in view of Greenspan et al (US 6,850,484).

As to claim 17, Lowe teaches storing the message. Lowe does not teach storing until each selected destination becomes active.

Greenspan teaches the stream manager selects a destination server from those Available (see Abstract; for more detail see entire Pat 6850484) for the purpose of

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redirecting and managing messaging and information access in a packet network environment.

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to incorporate the teachings of Greenspan into Lowe for the purpose of enhancing a way to improve handling of messaging, subsequently, maintaining the resource use.

Claims 23-26 are rejected under 35 U.S.C.103(a) as being unpatentable over Lowe (US Pat 7, 123, 696) in view of Ross et al (US 6, 360,093) further in view of Chudoba (US Pub 2005/00118689).

As to claims 23-26, Lowe in view of Ross teaches the device (of claim 19) (i.e., computing devices include cellular telephones, Personal Digital Assistants (PDA), desktop computers, laptop computers and any electronic apparatus capable of communicating through a wire-based and/or wireless network, col. 11, lines 30-33).

Lowe in view of Ross does not teach the device of claim 19:

wherein the network is a Global System for Mobile Communications (GSM) network.

wherein the network includes General Packet Radio Services (GPRS).

wherein the network is a Code Division Multiple Access (CDMA) network.

wherein the network is a Universal Mobile Telecommunication System (UMTS).

Chudoba teaches The mobile telephone network may be configured, for example, as a mobile telephone network of the second or third generation, for example as a mobile telephone network according to one of the standards GSM, GPRS, UMTS,

or CDMA for the purpose of providing various types of network that can be used for the transmission of data (Abstract)

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to incorporate the teachings of Chudoba into Lowe in view of Ross for the purpose of clearly defining the versatility of the system and greater marketability.

Claims 28 - 33 and are rejected under 35 U.S.C.103(a) as being unpatentable over Lowe (US Pat 7, 123, 696) in view of Ekstrom et al (US 7,292,564).

As to claim 28, Lowe teaches a packet-based communications system, comprising:

a packet-based communications enabled device (i.e., computing devices include cellular telephones, Personal Digital Assistants (PDA), desktop computers, laptop computers and any electronic apparatus capable of communicating though a wire-based and/or wireless network, col. 11, lines 30-33) including:

destination information (i.e., user name information from a database, col. 16, lines 64-66 as seen in step 1040 of fig. 10) for a number of destinations (i.e., one or more other recipients such as users 215 of fig. 2) provided thereon;

a selection interface (i.e., interface module 244 of fig. 2) for selecting multiple destinations (i.e., destination clients of fig. 2, label 230) of the number of destinations (i.e., one or more other recipients such as users 215 of fig. 2); and

a transmitter (i.e., media server 240 of fig. 2) for transmitting destination information (i.e., user name information from a database, col. 16, lines 64-66 as seen in step 1040 of fig. 10) for multiple destinations (i.e., destination clients of fig. 2, label 230) of the number of destinations and for transmitting voice data (i.e., the appropriate voice data to the clip; col. 14, line 15; or WAV, MP3, AVI, OGG, etc; col. 14, line 5 and col. 16, line 55);

and a network device (i.e., computing device, for example, desktop computer, PDA, multimedia player...) for receiving the destination information and voice data from the enabled device (i.e., computing devices include cellular telephones, Personal Digital Assistants (PDA), desktop computers, laptop computers and any electronic apparatus capable of communicating though a wire-based and/or wireless network, col. 11, lines 30-33) including: a processor (col. 11, line 19); memory (col. 11, line 19) connected to the processor; and

program instructions (i.e., a software program and/or computer hardware configured to enable users to select one or more master clips; Abstract; col. 2, lines 5-6; col. 5) stored in memory and executable on the processor to:

convert the received voice data (i.e., the appropriate voice data to the clip; col. 14, line 15; or WAV, MP3, AVI, OGG, etc; col. 14, line 5 and col. 16, line 55) from the push to talk session into a digital audio file (i.e., media clip, Abstract); and transmit the digital audio file (i.e., media clip) to the selected destination (i.e., destination clients of fig. 2, label 230).

Lowe does not teach transmitting voice data from push to talk (PTT) session and converting the received voice data from PTT session.

Ekstrom teaches transmitting (i.e., transmitted over the PTT connection; col. 2, line 58) voice data from push to talk (PTT) session and converting (i.e., encoded/decoded information, fig. 6) the received voice data from PTT session for the purpose of reducing the delay by increasing the rate at which the content is transmitted (col. 2, line 57).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to incorporate the teachings of Ekstrom into Lowe in for the purpose of enhancing the conversation and thus greater marketability.

As to claim 29, Lowe in view of Ekstrom teaches program instructions (i.e., a software program and/or computer hardware; Abstract) on the network device (i.e., computing device, for example, desktop computer, PDA, multimedia player...) execute to identify the selected multiple destinations (i.e., destination clients of fig. 2, label 230) based upon a rich header (i.e., leading header information, col. 20, line 67 or resource header for the complete request, col. 21, line 18) provided with the voice data from the packet-based communications enabled device (i.e., computing devices include cellular telephones, Personal Digital Assistants (PDA), desktop computers, laptop computers and any electronic apparatus capable of communicating though a wire-based and/or wireless network, col. 11, lines 30-33).

As to claims 30 - 33, Lowe teaches receiving the destination information (i.e., user name information from a database, col. 16, lines 64-66 as seen in step 1040 of

fig. 10) and voice data (i.e., WAV, PM3, AVI, OGG, etc; col. 14, line 5) from the enabled device (i.e., computing devices include cellular telephones, Personal Digital Assistants (PDA), desktop computers, laptop computers and any electronic apparatus capable of communicating through a wire-based and/or wireless network, col. 11, lines 30-33). Furthermore, Lowe teaches the network device (i.e., computing device, for example, desktop computer, PDA, multimedia player...).

Lowe does not teach the system further includes the system includes a base station and a radio network controller. Furthermore, Lowe does not teach network device includes a network server and a Push to Talk (PTT) Server.

Ekstrom teaches Base station (fig. 2, label 30), Radio Network Controller (fig. 2, label 28), Network Server (i.e., Core Network; fig. 2, label 22) and PTT server (fig. 2, label 24) for the purpose of reducing the delays associated with real-time, interactive communications (Abstract).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to incorporate the teachings of Ekstrom into Lowe for the purpose of enhancing the conversation and thus greater marketability.

INQUIRY

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUNG-HOANG J. NGUYEN whose telephone number is (571)270-1949. The examiner can normally be reached on Monday to Thursday, 8:30AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571 272 7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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